

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. (*Currently Amended*) A processing environment determining device for ~~inclusion in a~~ telecommunication network, comprising:

a first retriever that retrieves ~~at least one~~ processing capability information associated with a first and second element for any one of a terminal, a network element of a sub-network or and a service provider equipment of a service provider of said telecommunication network, wherein said first retriever retrieves processing capability information from a first capability server associated with said first element, and retrieves processing capability information from a second capability server associated with said second element, said processing capability information retrieved via a technology independent signaling protocol; and

an appointing device coupled to said first retriever to appoint~~[[,]]~~ a processing environment to execute for a predefined service between said first and second elements for of a predefined client, wherein said appointing device determines said processing environment according to predefined rules and conditions, and according to said processing capability information, ~~one or more out of said terminal, said network element and said service provider equipment, and to determine a processing environment to be used to execute said predefined service,~~

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~~wherein said first retriever retrieves said processing capability information from any one of a terminal capability server of said terminal via predefined terminal application open signals and a network service capability server of a sub-network via predefined network application open service architecture signals.~~

2. (*Currently Amended*) The processing environment determining device according to claim 1, wherein said predefined rules and conditions comprise at least one of:

user requirements and user preferences of a user that uses said ~~element~~terminal,
operator requirements and operator preferences of an operator that exploits said ~~network~~ element,
service provider requirements, ~~or and~~
service provider preferences of a service provider that operates ~~said~~ service provider equipment coupled to said telecommunication network.

3. (*Currently Amended*) The processing environment determining device according to claim 1, wherein said processing environment determining device comprises a second retriever retrieving at least ~~any one~~ of user requirements, user preferences, operator preferences, server provider requirements[[,]] or service provider preferences ~~from any one of said terminal, said network elements and said service provider equipment~~ in order to update said predefined rules and conditions.

4. *(Cancelled)*.

5. *(Currently Amended)* The processing environment determining device according to claim 1, wherein said processing environment determining device is coupled to at least ~~comprises any one of a terminal, a~~ home network of said telecommunication network ~~sub-network being any one of a home network, a visited network~~ of said telecommunication network, ~~and an intermediate network of said telecommunication network~~ or ~~and~~ a service provider equipment.

6. *(Currently Amended)* The processing environment determining device according to claim 1, wherein said first retriever retrieves processing capability information associated with any one of a User Service Identity Module of said element or terminal ~~and terminal~~ equipment of said element ~~terminal~~.

7. *(Currently Amended)* A terminal capability server of a terminal to be used in a telecommunication network, said terminal capability server translating first application signals into first predefined terminal application open signals and translating second predefined terminal application open signals into second application signals, wherein said first predefined terminal application open signals and said second predefined terminal application open signals comprise processing capability information to be forwarded to ~~comprises a~~ processing capability environment determining device according to claim 1.

8. *(Previously Presented)* A network service capability server of a sub-network of a telecommunication network, said network service capability server translating first application signals into first predefined network application open service architecture signals and translating second predefined network application open service architecture signals into second application signals, wherein said first predefined network application open server architecture signals and said second predefined network application open service architecture signals comprise processing capability information to be forwarded to a processing environment determining device according to claim 1.

9. *(Cancelled)*.

10. *(Currently Amended)* A method ~~for determining to be used by~~ a processing environment ~~for determining means of~~ a telecommunication network, wherein said method comprises:

~~retrieving by a first retrieving means one or more~~ processing capability information associated with a first and second element of said telecommunication network, wherein said processing capability information is retrieved from a first capability server associated with said first element, and processing capability information is retrieved from a second capability server associated with said second element, said processing capability information retrieved via a technology independent signaling protocol ~~to any one of a user terminal, a network element of a sub-network and a service provider equipment of a service provider; and~~

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appointing a processing environment to execute ~~by an appointing means~~ for a predefined service between said first and second elements for ~~of a predefined client, wherein said processing environment is appointed~~ according to predefined rules and conditions, and according to said processing capability information, ~~one or more out of said terminal, said network elements and said service provider equipment to determine thereby an appointed processing environment that has to be used to execute said predefined service,~~

~~wherein said processing capability information is retrieved from any one of a terminal capability server of said terminal via predefined terminal application open signals and a network service capability server of a sub-network via predefined network application open service architecture signals.~~

11. (*Currently Amended*) A processing environment determining means for ~~inclusion in a~~ telecommunication network, comprising:

a first retrieving means that retrieves ~~at least one~~ processing capability information associated with a first and second element for ~~any one of a terminal, a network element of a sub-network and a service provider equipment of a service provider of said telecommunication network, wherein said first retrieving means retrieves processing capability information from a first capability server associated with said first element, and retrieves processing capability information from a second capability server associated with said second element, said processing capability information retrieved via a technology independent signaling protocol;~~ and

an appointing means coupled to said first retrieving means to appoint~~[[,]]~~ a processing environment to execute ~~for a predefined service between said first and second elements for of a predefined client,~~ wherein said appointing device determines said processing environment according to predefined rules and conditions, and according to said processing capability information, ~~one or more out of said terminal, said network element and said service provider equipment, and to determine a processing environment to be used to execute said predefined service,~~

~~wherein said first retrieving means retrieves said processing capability information from any one of a terminal capability server of said terminal via predefined terminal application open signals and a network service capability server of a sub-network via predefined network application open service architecture signals.~~

12. (*Currently Amended*) The processing environment determining device according to claim 11, wherein said predefined rules and conditions comprise at least one of:

user requirements and user preferences of a user that uses said element~~terminal~~,
operator requirements and operator preferences of an operator that exploits said ~~network~~
element,
service provider requirements, and
service provider preferences of a service provider that operates ~~said~~ service provider
equipment coupled to said telecommunication network.

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13. (*Currently Amended*) The processing environment determining device according to claim 11, wherein said processing environment determining device comprises a second retrieving means retrieving at least any one of user requirements, user preferences, operator preferences, server provider requirements[[],] or service provider preferences ~~from any one of said terminal, said network elements and said service provider equipment~~ in order to update said predefined rules and conditions.

14. (*Currently Amended*) The processing environment determining device according to claim 11, wherein said processing environment determining device is coupled to at least ~~comprises any one of a terminal, a~~ home network of said telecommunication network ~~sub-network being any one of a home network, a visited network~~ of said telecommunication network, ~~and an intermediate network of said telecommunication network~~ or ~~and~~ a service provider equipment.

15. (*Currently Amended*) The processing environment determining device according to claim 11, wherein said first retrieving means retrieves processing capability information associated with any one of a User Service Identity Module of said element or terminal ~~and~~ terminal equipment of said element ~~terminal~~.

16. (*Currently Amended*) A terminal capability server of a terminal to be used in a telecommunication network, said terminal capability server translating first application signals into first predefined terminal application open signals and translating second predefined terminal application open signals into second application signals, wherein said first predefined terminal application open signals and said second predefined terminal application open signals comprise processing capability information to be forwarded to ~~comprises a~~ processing capability environment determining device according to claim 11.

17. (*Previously Presented*) A network service capability server of a sub-network of a telecommunication network, said network service capability server translating first application signals into first predefined network application open service architecture signals and translating second predefined network application open service architecture signals into second application signals, wherein said first predefined network application open server architecture signals and said second predefined network application open service architecture signals comprise processing capability information to be forwarded to a processing environment determining device according to claim 11.

18. (*Cancelled*).